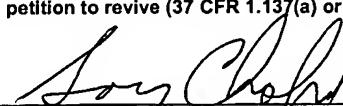


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|---|--|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 97017-00235 - U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 107534930 |
| INTERNATIONAL APPLICATION NO. PCT/AU2003/001494 | INTERNATIONAL FILING DATE 12 November 2003 | PRIORITY DATE CLAIMED 15 November 2002 |
| TITLE OF INVENTION METHOD OF SURGICAL REPAIR OF VAGINA DAMAGED BY PELVIC ORGAN PROLAPSE AND PROSTHETIC MATERIALS AND DEVICES SUITABLE FOR USE THEREIN | | |
| APPLICANT(S) FOR DO/EO/US CAREY, Marcus Patrick | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (with copies of five (5) cited references)</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return Postcard and Express Mail Certificate with Express Mail Label No. EV 623709275 US</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | | | | | | | | | |
|--|--------------|---|---------|---------------------------|-----------|------------------------|----|-----------------------|----|
| U.S. APPLICATION NO. (IF KNOWN, 37 CFR 1.15) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | | | | | |
| 10/534,930 | | PCT/AU2003/001494 | | 97017-00235 | | | | | |
| The following fees have been submitted | | | | | | | | | |
| 21. <input checked="" type="checkbox"/> Basic national fee..... | | | | CALCULATIONS PTO USE ONLY | | | | | |
| \$300 | | | | \$ 300.00 | | | | | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ 200.00 | | | | | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ 400.00 | | | | | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 900.00 | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | RATE | | | | | |
| - 100 = | /50 = | | | x \$250 | \$ | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | | | | |
| Total claims | 42 - 20 = | 22 | x \$ 50 | \$ 1,100.00 | | | | | |
| Independent claims | 5 - 3 = | 2 | x \$200 | \$ 400.00 | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$360 | \$ 360.00 | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 2,760.00 | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | | | | | |
| SUBTOTAL = \$ 2,760.00 | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)). | | | | | | | | | |
| TOTAL NATIONAL FEE = \$ 2,760.00 | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | | | | | | |
| TOTAL FEES ENCLOSED = \$ 2,760.00 | | | | | | | | | |
| <table border="1"> <tr> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$</td> </tr> </table> | | | | | | Amount to be refunded: | \$ | Amount to be charged: | \$ |
| Amount to be refunded: | \$ | | | | | | | | |
| Amount to be charged: | \$ | | | | | | | | |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>501402</u> in the amount of \$ <u>2,760.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>501402</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | | | | | |
|  SIGNATURE <u>Sanjiv M. Chokshi, Esq.</u> NAME <u>44,080</u> REGISTRATION NUMBER | | | | | | | | | |

10/534930

McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
tel 973.622.4444
fax 973.624.7070
www.mccarter.com

JC20 Rec'd PCT/PTO 13 MAY 2005



ATTORNEYS AT LAW

13 May 2005

Sanjiv M. Chokshi
(973) 848-5368 Direct Dial
(973) 297-3765 Fax
schokshi@mccarter.com

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: International Application No. PCT/AU2003/001494
Title: METHOD OF SURGICAL REPAIR OF VAGINA DAMAGED BY
PELVIC ORGAN PROLAPSE AND PROSTHETIC MATERIALS AND
DEVICES SUITABLE FOR USE THEREIN
Our Ref.: 97017/00235

Customer No.: 27614
"Express Mail" Label No. EV 623709275 US

Dear Sir:

Enclosed herewith for filing please find:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390);
2. A copy of the Published International Application (27 pages);
3. A copy of the International Search Report (PCT/ISA/210);
4. A copy of the International Preliminary Examination Report (PCT/IPER/409);
5. Information Disclosure Statement with copies of five (5) cited documents;
6. Express Mail Certification (stapled to this letter); and
7. One return postcard.

HARTFORD
860.275.6700

STAMFORD
203.324.1800

NEW YORK CITY
212.609.6800

NEWARK
973.622.4444

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215.979.3800

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Page 2
13 May 2005

McCARTER
ENGLISH

JC20 Rec'd PCT/PTO 3 MAY 2005

Please charge Deposit Account No. 501402 in the amount of \$2,760.00 to cover the fees associated with this filing. The Commissioner is also authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 501402.

Respectfully submitted,

McCARTER & ENGLISH, LLP



By: Sanjiv M. Chokshi
Reg. No. 44,080

SMC/ggm
Encls.

NWK2: 1315377.01

10/534930

97017/00235
JC20 Rec'd PCT/PTO 13 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
MARCUS P. CAREY

Serial No.: To Be Assigned
(U.S. National Phase of International
Application No. PCT/AU2003/001494)

Filed: Herewith

For: METHOD OF SURGICAL REPAIR OF
VAGINA DAMAGED BY PELVIC
ORGAN PROLAPSE AND
PROSTHETIC MATERIALS AND
DEVICES SUITABLE FOR USE
THEREIN

X

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

"Express Mail" Mailing Label Number EV 623709275 US

Date of Deposit 13 May 2005

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Gretchen Merriweather